

From:
To:
Subject: RE: [Non-DoD Source] Benway NJP Appeal
Date: Wednesday, October 21, 2020 10:54:15 PM

Sir,

You are welcome. Glad to hear from (b)(6) (b)(5)
(b)(5)

Very Respectfully,
(b)(6)

-----Original Message-----

From: (b)(6)
Sent: Tuesday, October 20, 2020 3:27 PM
To: (b)(6)
Subject: RE: [Non-DoD Source] Benway NJP Appeal

(b)(6)

Thanks a ton for this. (b)(6) told me to tell you hello.

S/F
(b)(6)

-----Original Message-----

From: (b)(6) >
Sent: Monday, October 19, 2020 6:45 PM
To
Cc (b)(6)

Subject: RE: [Non-DoD Source] Benway NJP Appeal

Sir,

Regarding your separate correspondence, I initially only looked at the appeal paperwork and had not looked at the docs within the CLA package. After seeing the CLA docs showing the other misconduct, (b)(5)

(b)(5)

(b)(5)

(b)(5)

(b)(5)

Sorry for my previous confusion on the facts sir. If you have any further questions, please let me know sir.

Very Respectfully,

(b)(6)
4th Marine Division and Marine Forces North
Office of the Staff Judge Advocate, Marine Corps Support Facility, New Orleans, LA
Office: (b)(6) DSN: (b)(6)
Samsung:
Cell: (b)(6)

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-----Original Message-----

From: (b)(6)
Sent: Monday, October 19, 2020 5:20 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: [Non-DoD Source] Benway NJP Appeal

(b)(6)

After speaking to my SACO,

(b)(5)

(b)(5)

S/F

(b)(6)

-----Original Message-----

From: (b)(6)
Sent: Sunday, October 18, 2020 11:40 AM
To:
Cc: (b)(6)
Subject: RE: [Non-DoD Source] Benway NJP Appeal

Sir,

Sorry for missing your call.

(b)(5)

Very Respectfully,

(b)(6)
4th Marine Division and Marine Forces North
Office of the Staff Judge Advocate, Marine Corps Support Facility, New Orleans, LA
Office: (b)(6) DSN: (b)(6)
Samsung: (b)(6)
Cell: (b)(6)

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-----Original Message-----

From: (b)(6)
Sent: Friday, October 16, 2020 3:18 PM
To:
Cc: (b)(6)

Subject: FW: [Non-DoD Source] Benway NJP Appeal

(b)(6)

Tried calling; No joy.

Attached is an appeal request from a civilian attorney for a Marine I NJP'd o/a 10 July 2020. We are currently in the process of administratively separating this Marine.
(b)(5)

(b)(5)

(b)(5)

I have forwarded the appeal to (b)(6) however, he asked me to seek your legal advice on this before we go any farther. Please advise when able. Thanks.

S/F

(b)(6)

-----Original Message-----

From: (b)(6)
Sent: Thursday, October 15, 2020 1:34 PM
To: (b)(6)
Subject: FW: [Non-DoD Source] Benway NJP Appeal

Gentlemen,

Received this from Benway lawyer.

R/S,

(b)(6)

I-I, 5th Bn, 14th Mar

Office: (b)(6)

Cell: (b)(6)

From: Bethany Payton O'Brien <bethanyobrien.attorney@gmail.com>
Sent: Thursday, October 15, 2020 12:09 PM
To:

(b)(6)

Cc:

Subject: [Non-DoD Source] Benway NJP Appeal

Enclosed is our NJP appeal on behalf of PVT Benway. Please ensure it is promptly forwarded to the next superior authority for disposition. As noted in our letter, the NJP was unjust given that it relied upon a command directed urinalysis which is impermissible under SECNAVINST 5300.28E. Further, the command directed urinalysis cannot be used for administrative separation characterization of service.

R/

Bethany L. Payton-O'Brien

CAPT, JAGC, USN (Ret)

Attorney at Law

Military and Security Clearance Law

(619) 909-9154 / 1-833-524-3363 (1-833-JAG-DFND)

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